

Serial No.: 10/810,455

Filing Date: March 27, 2004

Inventor: Gust

Title: Center Pivot Wing Flotation Method and Apparatus

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REMARKS

Initially, it is noted that the Examiner has allowed claims 1, 3, 6-7, 11 and 13. In addition, the Examiner has indicated that claims 4-5, 10 and 12 contain allowable subject matter. However, the Examiner has objected to the drawings as failing to show each and every feature of the invention specified in the claims. More specifically, the Examiner has indicated that the “plurality of seeders” and the “hydraulic cylinder locks” must be shown in the drawings or the features canceled from the claims. In addition, the Examiner has objected to claims 1-5, 10 and 12 under 35 U.S.C. § 112, second paragraph, as failing to comply with the written description requirement. More specifically, the Examiner has indicated that the specification does not properly describe the hydraulic cylinder having a lock thereon as claimed. In the Examiner’s opinion, the claims appear to claim a lock positioned on the hydraulic cylinders, however, the specification describes the hydraulic cylinders as being locked in the lowered position.

In view of the foregoing, applicant has amended the pending claims to more particularly define the invention for which protection is sought. More specifically, applicant has replaced the phrase “plurality of seeders” with the phrase “agricultural implement.” Referring to paragraph 17 of the specification, it is noted that the wings provide complete support for the “seed planting units (not shown) disks 18 and other necessary operational elements.” Given that disks 18 are agricultural implements and are clearly depicted in Figures 1 and 2 of the present application, it is believed that such terminology more accurately defines the invention for which protection is sought.

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With respect to the "hydraulic cylinder locks," applicant has amended claims 4-5, 10 and 12 to indicate that the first and second hydraulic cylinders have a lock position to hold corresponding wings in the working position. It is believed that the claims now conform to the subject matter described in the specification.

In view of the amendments to the claims heretofore described, it is believed that all of the features of the invention specified in the claims are now shown in the drawings. As such, withdrawal of the Examiner's objection to the drawings under 37 CFR § 1.83(a) is respectfully requested. Further, in view of the above-identified claim amendments, it is believed that the subject matter of claims 4-5, 10 and 12 is now fully described in the specification. Consequently, withdrawal of the rejections of such claims under 35 U.S.C. § 112, first paragraph, is respectfully requested.

Applicant believes that the present application with claims 1, 3-7 and 10-13 is in proper form for allowance and such action is earnestly solicited. No fees are believed to be due in connection with this communication. Nevertheless, authorization is given to charge any additional fees or credit any overpayment in connection with this or any future communication to the Deposit Account No. 50-1170.

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The Examiner is invited to contact the undersigned by telephone if it would help expedite matters.

Respectfully submitted,

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Dated: 12/13/06
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